

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

March 2023 Grand Jury

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK ALBERT RETTENMAIER,

Defendant.

No. 8:23-cr-00068-SPG

I N D I C T M E N T

[18 U.S.C. §§ 2252A(a) (5) (B),
(b) (2): Possession of Child
Pornography; 18 U.S.C. § 2253:
Criminal Forfeiture]

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2252A(a) (5) (B), (b) (2)]

On or about June 7, 2020, in Orange County, within the Central District of California, defendant MARK ALBERT RETTENMAIER knowingly possessed, on an Adobe Lightroom account, at least one image of child pornography, as defined in Title 18, United States Code, Section 2256(8) (A), involving a prepubescent minor and a minor who had not attained 12 years of age, that had been mailed, and shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign

1 commerce by any means, including by computer, and that had been
2 produced using materials that had been mailed, and shipped and
3 transported in and affecting interstate and foreign commerce by any
4 means, including by computer, knowing that the images were child
5 pornography.

6 The child pornography that defendant RETTENMAIER possessed
7 consisted of the following images titled:

- 8 (1) "file_PNG image 11.png;" and
9 (2) "file_PNG image 99.png."

COUNT TWO

[18 U.S.C. §§ 2252A(a)(5)(B), (b)(2)]

On or about July 22, 2020, in Orange County, within the Central District of California, defendant MARK ALBERT RETTENMAIER knowingly possessed an Apple iPhone, bearing serial number FK1VRD7VJCL8, that contained at least one image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which images involved a prepubescent minor and a minor who had not attained 12 years of age, that had been mailed, and shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that had been produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, knowing that the images were child pornography.

COUNT THREE

[18 U.S.C. §§ 2252A(a)(5)(B), (b)(2)]

On or about July 22, 2020, in Orange County, within the Central District of California, defendant MARK ALBERT RETTENMAIER knowingly possessed an Apple Macbook Air, bearing serial number C02W91NQJ1WK, that contained at least one video of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which videos involved a prepubescent minor and a minor who had not attained 12 years of age, that had been mailed, and shipped and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that had been produced using materials that had been mailed, and shipped and transported in and affecting interstate and foreign commerce by any means, including by computer, knowing that the videos were child pornography.

FORFEITURE ALLEGATION

[18 U.S.C. § 2253]

1. Pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, notice is hereby given that the United States of America will seek forfeiture as part of any sentence, pursuant to Title 18, United States Code, Section 2253, in the event of the defendant's conviction of the offenses set forth in any of Counts One through Three of this Indictment.

2. The defendant, if so convicted, shall forfeit to the United States of America the following property:

(a) All right, title, and interest in any visual depiction involved in any such offense, or any book, magazine, periodical, film videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received and involved in any such offense;

(b) All right, title, and interest in any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense;

(c) All right, title, and interest in any property, real or personal, used or intended to be used to commit or to promote the commission of such offense or any property traceable to such property; and

(d) To the extent such property is not available for forfeiture, a sum of money equal to the total value of the property described in subparagraphs (a), (b), and (c).

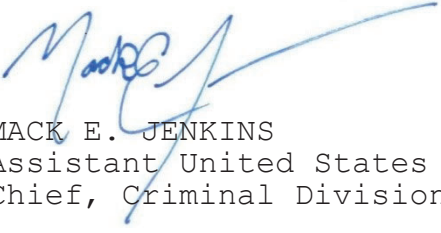
3. Pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), the defendant, if so convicted, shall forfeit substitute property, up to

1 the total value of the property described in the preceding paragraph
2 if, as the result of any act or omission of the defendant, the
3 property described in the preceding paragraph, or any portion
4 thereof: (a) cannot be located upon the exercise of due diligence;
5 (b) has been transferred, sold to or deposited with a third party;
6 (c) has been placed beyond the jurisdiction of the court; (d) has
7 been substantially diminished in value; or (e) has been commingled
8 with other property that cannot be divided without difficulty.

9
10 A TRUE BILL

11
12 /s/
13 Foreperson

14 E. MARTIN ESTRADA
15 United States Attorney

16 
17 MACK E. JENKINS
18 Assistant United States Attorney
Chief, Criminal Division

19 BENJAMIN R. BARRON
20 Assistant United States Attorney
Chief, Santa Ana Branch Office

21 JAKE D. NARE
22 Assistant United States Attorney
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